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7 *Attorneys for Defendants*
8 *Perkins Coie, LLP and Lowell Ness*

9 **UNITED STATES BANKRUPTCY COURT**
10 **EASTERN DISTRICT OF WASHINGTON**

11 In re:

Case No. 18-03197-FPC11
Chapter 11

12 **GIGA WATT, Inc., a Washington**
13 **Corporation,**

14 Debtor.

Adversary Case No. 20-80031-FPC

15 **MARK D. WALDRON, as Chapter 7**
16 **Trustee;**

17 Plaintiff,

18 v.

DEFENDANTS' MOTION FOR
ORDER GRANTING
WITHDRAWAL OF THE DISTRICT
COURT'S REFERENCE PURSUANT
TO 28 U.S.C. §157

19 **PERKINS COIE, LLP, a Washington**
20 **limited liability partnership,**
21 **LOWELL NESS, individual and**
22 **California resident, GIGA WATT,**
23 **PTE., LTD a Singapore corporation,**
24 **and ANDREY KUZENNY, a citizen of**
25 **the Russian Federation,**

26 Defendants,

MOTION FOR ORDER GRANTING WITHDRAWAL OF
THE DISTRICT COURT'S REFERENCE PURSUANT TO 28 U.S.C. §157 - 1

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I. MOTION

The defendants Perkins Coie, LLP, and Lowell Ness (“Defendants”) hereby move to withdraw the reference of the above-captioned adversary proceeding (“Adversary Proceeding”). This Motion is brought pursuant to 28 U.S.C. §157(d), Rule 5011 of the Federal Rules of Bankruptcy Procedure, and Rule 5011-1 of the Local Bankruptcy Rules and is supported by the Memorandum in Support of Defendants’ Motion for Order Granting Withdrawal of the District Court’s Reference Pursuant to 28 U.S.C. §157 filed concurrently herewith.

Wherefore, the Defendants respectfully request that the District Court enter an order withdrawing the reference of the Adversary Proceeding to the Bankruptcy Court for the Eastern District of Washington and transferring this case to the District Court for adjudication. The Defendants further request that the Adversary Proceeding be assigned to the Spokane Division of the District Court and, if possible, assigned to Judge Bastian who is presently presiding over a related class action case.

DATED THIS 31st day of December, 2020.

MUNDING, P.S.

/s/ John D. Munding

John D. Munding, WSBA No. 21734
Attorney for Defendants